

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

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|---------------------------|---|------------------------------|
| UNITED STATES OF AMERICA, |) | CR. NO. 08-00728-01 SOM |
| |) | |
| Plaintiff, |) | ORDER DENYING WITHOUT |
| |) | PREJUDICE DEFENDANT'S MOTION |
| vs. |) | FOR EXTENDED COMMUNITY |
| |) | CONFINEMENT |
| JAVIER E. QUINONES, (03) |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

ORDER DENYING WITHOUT PREJUDICE
DEFENDANT'S MOTION FOR EXTENDED COMMUNITY CONFINEMENT

Defendant Javier Quinones has filed a Motion for Extended Community Confinement. He asserts that the Bureau of Prisons has indicated that a statement from this court recommending that Quinones be allowed to spend an extended portion of his sentence in community confinement would assist "in substantiating a longer term of community confinement." This court denies the motion seeking a recommendation from this court. This denial is not intended to discourage the Bureau of Prisons from taking such action, including designation of extended community confinement, as it may deem appropriate. Rather, this denial springs from the recognition that a sentencing court that has had no contact with a defendant for more than two years is in no position to recommend the type of facility at which that defendant should serve the remaining years of his sentence.

Defendant began serving a prison term of 97 months in May 2010. At this point, the Bureau of Prisons, having had a chance to interact with Defendant for more than two years, has greater (and more recent) information than this court about the appropriate kind of facility.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, June 7, 2013.



/s/ Susan Oki Mollway
Susan Oki Mollway
Chief United States District Judge

United States v. Quinones, et al., CR. NO. 08-00728-01 SOM, ORDER
DENYING WITHOUT PREJUDICE DEFENDANT'S MOTION FOR EXTENDED
COMMUNITY CONFINEMENT